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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,345	12/17/2001	Thomas Francis McNulty	RD-28430	1329

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GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
PATENT DOCKET RM. BLDG. K1-4A59
SCHENECTADY, NY 12309

EXAMINER

LEON, EDWIN A

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/683,345	MCNULTY ET AL.	
	Examiner	Art Unit	
	Edwin A. León	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) 43-49 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-3, 6, 14-15, 24-29, 31, 33, 38-39, and 41 is/are allowed.
- 6) ☒ Claim(s) 1, 4, 5, 7-13, 16-23, 30, 32, 34-37, 40 and 42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed April 29, 2004 in which Claims 2 and 30-31 have been amended, has been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 4-5, 7-13, 16-23, 30, 32, 34-37, 40 and 42 are rejected under 35 U.S.C. 102(e) as being anticipated by Duggal et al. (U.S. Patent No. 6,515,314). With regard to Claim 1, Duggal et al. discloses a light-emitting device comprising a light-emitting member (10) that comprises a first electrode (50), a second electrode (30), and at least one organic electroluminescent EL material (40) disposed between the first (50) and second electrodes (30), the light-emitting member (10) being disposed on a substrate (20) and emitting first electromagnetic EM radiation having a first spectrum

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when an electrical voltage is applied across the electrodes (50,30); and at least one organic photoluminescent PL material (42) disposed separately from the electroluminescent EL material (40) in a path of light emitted by the light-emitting member (10), the organic PL material (42) absorbing a portion of the first EM radiation and emitting second EM radiation having a second spectrum. See Figs. 1-7.

With regard to Claim 4, Duggal et al. discloses a light-scattering material (Column 4, Lines 13-21) disposed in a path of light emitted from the light-emitting member (10). See Figs. 1-7.

With regard to Claim 5, Duggal et al. discloses the organic PL material (42) being dispersed in a layer of a polymeric material (Column 5, Lines 1-26), the layer being disposed on the light-emitting member (10). See Figs. 1-7.

With regard to Claim 7, Duggal et al. discloses the scattering material (Column 4, Lines 13-21) being in a form of particles having a size in a range from about 10 nm to about 100 micrometers that are dispersed in a film of a polymeric material (Column 5, Lines 1-26). See Figs. 1-7.

With regard to Claim 8, Duggal et al. discloses the film containing dispersed particles of light-scattering material (Column 4, Lines 13-21) being disposed adjacent to the inorganic PL material (Column 8, Lines 3-18). See Figs. 1-7.

With regard to Claim 9, Duggal et al. discloses the first spectrum having wavelengths in a range from near ultraviolet ("UV") (Column 4, Lines 23-39) to red. See Figs. 1-7.

With regard to Claim 10, Duggal et al. discloses the wavelengths being in a range from about 300 nm to about 770 nm (Column 4, Lines 23-39). See Figs. 1-7.

With regard to Claim 11, Duggal et al. discloses the wavelengths are preferably in a range from about 300 nm to about 550 nm (Column 4, Lines 23-39). See Figs. 1-7.

With regard to Claim 12, Duggal et al. discloses the second spectrum having wavelengths in a range from about 500 to about 770 nm (Column 4, Lines 23-39). See Figs. 1-7.

With regard to Claim 13, Duggal et al. discloses the wavelengths being preferably in a range from about 550 nm to about 770 nm (Column 4, Lines 23-39). See Figs. 1-7.

With regard to Claim 16, Duggal et al. discloses the first electrode (50) comprising a material selected from the group consisting of K, Li, Na, Mg, La, Ce, Ca, Sr, Ba, Al, Ag, In, Sn, Zn, Zr, Sm, Eu, alloys thereof, and mixtures thereof. See Figs. 1-7 and Column 4, Lines 55-65.

With regard to Claim 17, Duggal et al. discloses the at least one organic EL material (40) is selected from the group consisting of poly(n-vinylcarbazole), poly(alkylfluorene), poly(paraphenylene), polysilanes, derivatives thereof, mixtures thereof, and copolymers thereof. See Figs. 1-7 and Column 5, Lines 1-26.

With regard to Claim 18, Duggal et al. discloses the at least one organic EL material (40) being selected from the group consisting of 1,3,5-tris{n-(4-diphenylaminophenyl)phenylamino} benzene, phenylanthracene, tetraarylethene, coumarin, rubrene, tetraphenylbutadiene, anthracene, perylene}, coronene, aluminum-

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(picolymethylketone)-bis{2,6-di(t-butyl) phenoxide}, scandium-(4-methoxy-picolymethylketone)-bis(acetylacetonate), aluminum-acetylacetonate, gallium-acetylacetonate, and indium-acetylacetonate. See Figs. 1-7 and Column 5, Lines 1-26.

With regard to Claim 19, Duggal et al. discloses the at least one organic EL material (40) is carried in a substantially transparent polymer. See Figs. 1-7 and Column 5, Lines 1-26.

With regard to Claim 20, Duggal et al. discloses the second electrode (30) comprising materials elected from the group consisting of ITO, tin oxide, indium oxide, zinc oxide, indium zinc oxide, and mixtures thereof. See Figs. 1-7 and Column 4, Lines 40-54.

With regard to Claim 21, Duggal et al. discloses the organic PL material (42) being at least one material selected from the group consisting of perylenes, benzopyrenes, coumarin dyes, polymethine dyes, xanthene dyes, oxobenzanthracene dyes, perylenebis(dicarboximide), pyrans, thiopyrans, and azo dyes. See Figs. 1-7 and Column 7, Lines 39-51.

With regard to Claim 22, Duggal et al. discloses the inorganic PL material (Column 8, Lines 3-18) being at least one material selected from the group consisting of $(Y_{1-x}Ce_x)_3Al_5O_{12}$; $(Y_{1-x-y}Gd_yCe_x)_3Al_5O_{12}$; $(Y_{1-x}Ce_x)_3(Al_{1-y}Ga_y)O_{12}$; $(Y_{1-x-y}Gd_yCe_x)(Al_{5-z}Ga_z)O_{12}$; $(Gd_{1-x}Ce_x)Sc_2Al_3O_{12}$; $Ca_{0.8}Mg(SiO_4)_4Cl_2$; Eu^{2+} , Mn^{2+} , $GdBO_3$, Ce^{3+} , Tb^{3+} ;

CeMgAl.sub.11O.sub.19: Tb.sup.3+; Y.sub.2SiO.sub.5:Ce.sup.3+,Tb.sup.3+;
BaMg.sub.2Al.sub.16O.sub.27:Eu.sup.2+,Mn.sup.2+; Y.sub.2O.sub.3:Bi.sup.3+
,Eu.sup.3+;Sr.sub.2P.sub.2O.sub.7:Eu.sup.2+,Mn.sup.2+;
SrMgP.sub.2O.sub.7:Eu.sup.2+,Mn.sup.2+; (Y,Gd)(V,B)O.sub.4:Eu.sup.3+;
3.5MgO.0.5MgF.sub.2.GeO.sub.2:Mn.sup.4+ (magnesium fluorogermanate);
BaMg.sub.2Al.sub.16O.sub.27:Eu.sup.2+; Sr.sub.5(PO.sub.4).sub.10Cl.sub.2:-
Eu.sup.2+; (Ca,Ba,Sr)(Al,Ga).sub.2S.sub.4:Eu.sup.2+;
(Ba,Ca,Sr).sub.5(PO.sub.4).sub.10(Cl.sub.2, F).sub.2:Eu.sup.2+,Mn.sup.2+;
Lu.sub.3Al.sub.5O.sub.12:Ce.sup.3+; Tb.sub.3Al.sub.5O.sub.12:Ce.sup.3+, and
mixtures thereof; wherein 0.ltoreq.x.ltoreq.1,0.ltoreq.y.ltoreq.1, 0.ltoreq.z.ltoreq.5 and
x+y.ltoreq.1. See Figs. 1-7 and Column 11, Lines 2-18.

With regard to Claim 23, Duggal et al. discloses the light-scattering material (Column 4, Lines 13-21) being selected from the group consisting of rutile (TiO.sub.2), hafnia (HfO.sub.2), zirconia(ZrO.sub.2), zircon (ZrO.sub.2.SiO.sub.2), gadolinium gallium garnet (Gd.sub.3Ga.sub.5O.sub.1-2), barium sulfate, yttria (Y.sub.2O.sub.3), yttrium aluminum garnet ("YAG", Y.sub.3Al.sub.5O.sub.12), calcite (CaCO.sub.3), sapphire (Al.sub.2O.sub.3), diamond, magnesium oxide, germanium oxide, and mixtures thereof. See Figs. 1-7 and Column 4, Lines 13-21.

With regard to Claim 30, Duggal et al. discloses a method of making a light-emitting device that is based on at least one organic EL material (40), the method comprising the steps of: (1) providing a substrate (20); (2) forming a light-emitting member (10) in a process comprising the steps of: (a) depositing a first electrically

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conducting material on one surface of the substrate (20) to form a first electrode (50); (b) depositing the at least one organic EL material (40) on the first electrode (50); and (c) depositing a second electrically conducting material on the organic EL material (40) to form a second electrode (30); and (3) disposing at least one organic PL material (42) adjacent to the light-emitting member (10). See Figs. 1-7.

With regard to Claim 32, Duggal et al. discloses the step of disposing at least one light-scattering material (Column 4, Lines 13-21) in a path of light emitted from at least one of the light-emitting member (10) and the organic PL material (42). See Figs. 1-7.

With regard to Claim 34, Duggal et al. discloses the steps of depositing the first and second electrically conducting materials being selected from the group consisting of physical vapor deposition, chemical vapor deposition, and sputtering. See Figs. 1-7 and Column 7, Lines 60-67.

With regard to Claim 35, Duggal et al. discloses the step of depositing the at least one organic EL material (40) being selected from the group consisting of physical vapor deposition, chemical vapor deposition, spin coating, dip coating, spraying, ink-jet printing, and casting. See Figs. 1-7 and Column 7, Lines 60-67.

With regard to Claim 36, Duggal et al. discloses the step of disposing at least one organic PL material (42) comprising depositing the organic PL material (42) by a method selected from the group consisting of physical vapor deposition, chemical vapor deposition, spin coating, dip coating, spraying, ink-jet printing, and casting. See Figs. 1-7 and Column 7, Lines 60-67.

With regard to Claim 37, Duggal et al. discloses the step of disposing at least one organic PL material (42) comprising dispersing the organic PL material (42) in a substantially transparent polymeric material (Column 5, Lines 1-26) to form a mixture, casting the mixture into a film by a doctor blade method, curing the film, and disposing the film adjacent to the light-emitting member (10). See Figs. 1-7 and Column 7, Lines 60-67.

With regard to Claim 40, Duggal et al. discloses the step of disposing at least one light-scattering material (Column 4, Lines 13-21) comprising dispersing particles of the light-scattering material (Column 4, Lines 13-21) in a substantially transparent polymeric material (Column 5, Lines 1-26) to produce a mixture, forming a film of the mixture, and disposing the film adjacent to at least one of the organic EL material (40) and the organic PL material (42). See Figs. 1-7.

With regard to Claim 42, Duggal et al. discloses the step of forming the light-emitting member (10) further comprises depositing at least one additional layer of an organic material (42) between one of the electrodes (50,30) and the organic EL material (40) for a function selected from the group consisting of hole injection enhancement, hole transport, and electron injection enhancement and transport. See Figs. 1-7 and Column 7, Lines 60-67.

Allowable Subject Matter

4. Claims 2-3, 6, 14-15, 24-29, 31, 33, 38-39, and 41 are allowed for the reasons stated in the Office Action of January 29, 2004.

Response to Arguments

5. Applicant's arguments filed April 29, 2004 have been fully considered but they are not persuasive. In response to Applicant's arguments regarding Claims 1 and 30 that the Duggal et al. reference doesn't show at least one organic photoluminescent PL material disposed separately from the electroluminescent EL material and that the reference only discloses inorganic material dispersed in the organic EL material, Applicant's attention is directed to Fig. 5 in which Duggal et al. clearly discloses at least one organic photoluminescent PL material (42) disposed separately from the electroluminescent EL material (40). Applicant's attention is also directed to Column 7, Lines 44-51 in which Duggal et al. discloses material (42) as being organic. Furthermore, the fact that the Duggal et al. reference discloses inorganic material dispersed in the organic EL material, it must be noted that the Duggal et al. reference

discloses the invention as claimed. The fact that it discloses additional structure (inorganic material dispersed in the organic EL material) is irrelevant.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

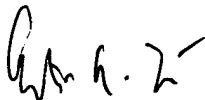
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (571) 272-2008. The examiner can normally be reached on Monday - Friday 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800, extension 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Edwin A. Leon
AU 2833

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June 25, 2004



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